

Testimony of David Kelman
IN FAVOR OF HB6513
For Judiciary Committee Public Hearing
March 25, 2013

Dear Members of the Judiciary Committee:

I reside in a condo in West Hartford, am a former condo association board member, a long-time volunteer for the State of Connecticut Attorney General's Office Consumer Assistance Unit, and Chairman Emeritus of the Connecticut Condo Owners Coalition. I have witnessed and been the victim of board abuse of authority and disrespect.

I support House Bill 6513, An Act Concerning The Budget And Special Assessment Approval Process In Common Interest Communities.

All unit owners should be encouraged to vote on matters affecting the community. If unit owners do not vote for whatever reason, then a simple majority of those voting should prevail.

In 2011, my condo association had an annual budget vote. At that time, ballots or proxies were not mailed out with the budget meeting notice. The budget meeting had an overflow crowd of attendees. The board president first called the vote by a show of hands. Then realizing that it was too much to handle that way, he distributed paper ballots. However, those who did not attend the meeting did not receive the ballots. All owners were not treated equally. The budget vote was unfair from the start.

While there was a 54% majority of unit owners in person or by proxy opposed the proposed budget, yet the board president declared the budget passed. Another board member challenged some proxies saying one person was not an owner (which was incorrect), and another unit owner could only vote once, even those he owned two units. When challenged, the board president nor the property manager did anything to verify the challenge. The budget vote should have been stopped until the matter was resolved. This was one budget vote scandal. The chairman of the Election Committee did nothing about it. When a unit owner asked for a meeting to discuss the matter, he refused. Unit owners could not afford an attorney to challenge the board's behavior.

Enforcement of condo laws is needed in Connecticut.

I urge all Committee members to vote in FAVOR of HB6513 with the above mentioned change.

Thank you for your kind attention to this very important matter.

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